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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,923	11/13/2003	Jerry Johnson	TPP31465A	7308

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EXAMINER	
VEILLARD, JACQUES	
ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/705,923	Applicant(s) JOHNSON ET AL.	
	Examiner Jacques Veillard	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-88 is/are pending in the application.
- 4a) Of the above claim(s) 17-20,23-29,31-44 and 76-81 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 21-22, 30, 51-57, 64-75, and 82- 87 is/are rejected.
- 7) ☒ Claim(s) 45-50, 58-63 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the Applicant's communication filed on 08/29/2006.
2. Claims 1-16, 21, 22, 30 45-75, and 82-88 have been elected with traverse.
3. Claims 1-16, 21, 22, 30 45-75, and 82-88 are pending and presented for examination.

### ***Response to Arguments***

#### ***Election/Restrictions***

4. Applicant's election with traverse of 1-16, 21, 22, 30, 45-75, and 82-88 in the reply filed on August 29, 2006 is acknowledged. The traversal is on the ground(s) that the search for the Group I-III claims together would not be burdensome, since subject matter of the groups is closely related, the prior art to be searched by the examiner would likely to be substantially the same for invention Groups I, II, and III. This is not found persuasive because invention in Group I, drawn to a method and system for creating and maintaining a rich-content repository by providing a common language for defining a schema wherein the provided common language defining the schema has been used by a standard database structure defined by a standard schema, classified in class 707, subclass 102. Invention in Group II, drawn to a method for viewing a content-rich repository as a web catalog, wherein a web browser for viewing the content-rich repository, permitting the navigation and the mapping of a schema, has been utilized, classified in class 707, subclass 100, and invention in group III, drawn to a method for administering a rich-content having a tree-structure schema of a plurality of classes of items having attributes, wherein the items are copying from a first schema class to a second schema class and maintaining at least one attribute name as a set of names for each of the plurality of

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classes, classified in class 707, subclass 103R. It appears that these inventions are distinct and independent and because the search required for each group is different and not co-extensive for examination purpose, these groups would require different searches in PTO's classification class and subclass. Therefore, the search required for invention in Group I would not required for the invention in Groups II and III. The search required for the invention in Group II would not required for the invention in Groups III and I, and the search required for the invention in Group III would not required for Groups II and I.

The requirement is still deemed proper and is therefore made FINAL.

5. This application contains claims 17-20, 23-29, 31-44, and 76-81 drawn to an invention nonelected with traverse in Paper No./mail date 08/29/2006. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### ***Drawings***

6. Figures 1 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

7. The disclosure is objected to because of the following informalities: on page 1 of the disclosure the word “Users” should be --users--. Applicant(s) is/are advised to conduct a complete review of the disclosure to check for the same deficiency. Appropriate correction is required.

“The content engine 201” recites in line 1 of page 11, and line 12 of page 12 should be --The content engine 203-- to be consistent with Fig.2

***Claim Objections***

8. Claims 1, 3, 6, 16, 45, 49, 51, 55, 57, 58, 64, 67-73, 75, 82 and 84 are objected to because of the following informalities:

The word “User” recites in lines 1 and 14 of claim 1, in line 2 of claim 3, in lines 1 and 3 of claim 6, in line 2 of claim 16, in lines 8 and 9 of claim 45, in line 1 of claim 49, in line 9 of claim 51, in line 1 of claims 55 and 57, in line 12 of claim 58, in lines 12 and 13 of claim 64, in line 3 of claim 67, in line 1 of claims 69, 71, 73, and 75 should be --user-- in order to be consistent with the user of the claim. Furthermore, claim 6 recites in 4 “and 3.”. The number character “3.” must be deleted. Appropriate correction is required.

Claim 1 recites the limitation “a content-rich repository” in lines 1 and 13 while the other dependent and independent claims recite “a rich-content repository”. To be consistent with the other claims Examiner suggested replacing “a content-rich repository” of claim 1 by --a rich-- content repository--. Appropriate correction is required.

Claim 45 is objected to because of the following informalities: “a system” recited at the beginning of the claim should be --A system--. Appropriate correction is required.

Claim 82 is objected to because of the following informalities: “the rich-content repository” recited in line 3 should be --the first single rich-content repository--. Appropriate correction is required.

Claim 84 is objected to because of the following informalities: the word “as” after item in line 2 should be --and--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-16, 21-22, 30, 51-57, 64-75, and 82- 87 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the mapped content" in 13, and claim 3 recites the same limitation in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 22 recite the limitation "rich-content repository" in line 2, while the based claim recites a “content-rich repository”. There is insufficient antecedent basis for this limitation in the claim.

The term “optionally” recites in lines 5 and 10 of claim 30, is a relative term, which renders the claim indefinite. The term “optionally” is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonable appraised of the scope of the invention. The limitation “optionally” is indefinite due to the variety meanings of the word. Therefore, given “optionally” any of the common and broadest definitions it is unclear to the Examiner what the limitation “optionally” is intended to cover in the claim.

The pronoun “its” recites in line 4 of claim 82 and line 2 of claim 84 renders the claims indefinite. The pronouns “its” is not permitted as part of the claimed language only what is being referred by “its” should be set forth in the claim. Appropriate correction or deletion is required.

As per claims 51, 64, 82, 83, 85 and 86, it is unclear what the intended metes and bounds of the claims are, because of their incorporation by reference with claim 1. It is noted that incorporation by reference to another claim invokes the entire claim, which is being incorporated. Accordingly, there cannot be any inconsistency between the preamble of the claim incorporated by reference and the claim containing the incorporation (such as claim 1 and the above claims). When such inconsistency exists, the claim is indefinite under 35 USC 112, second paragraph. See MPEP 2173.02.

Any claim not directly rejected under 35 USC 112, second paragraph stands rejected due to its dependency directly or indirectly to their base claims.

Claim 88 the limitation "the providing eProcurement application" in line 1. There is insufficient antecedent basis for this limitation in the claim. It appears that the providing eProcurement application is a conditional antecedent basis because it happens only if "eProcurement application" is selected from claim 87. Therefore, claim 88 seems not to limiting completely claim 87 since claim 88 will be vanished for any other elements selected from the elements recited in claim 87.

11. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1-16, 21, 22, 30 45-75, and 82-88 would be allowable over the prior art of record if rewritten to overcome the objection and the rejection under 35 U. S. C. 112, second paragraph set forth in this office action.

#### ***Prior Art Made of Record***

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

#### ***Points Of Contact***



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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086.

The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*J.V.*  
J.V.

Jacques Veillard  
Patent Examiner AU 2165

*Apr 11/06*  
*Apr 11/06*  
*Primary Examiner*  
*TC 2100*

October 18, 2006